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**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

**APPLICANT(s):** Kunzler et al.

**DOCKET NO.:** 072496.00003

**SERIAL NO.:** 08/ 944,234

**GROUP ART UNIT:** 3731

**FILED:** October 6, 1997

**EXAMINER:**

L. Ngo

**INVENTION:** "DRILL HEAD FOR USE IN PLACING AN  
INTERVERTEBRAL DISC DEVICE"

**NOTICE OF APPEAL  
AND REQUEST FOR EXTENSION OF TIME**



Applicants hereby appeal to the Board of Appeals from the decision of the

Primary Examiner, mailed July 5, 2000, finally rejecting claims 1-24.

This application is on behalf of a small entity. A small entity statement was filed in the prior and non-provisional application, and such status is still proper and desired.

Pursuant to 37 CFR 1.17 (b), the fee for filing the Notice of Appeal is \$155.00.

Applicants petition for a three-month extension of time under 37 CFR 1.136 in which to file this Notice of Appeal. In accordance with 37 CFR 1.17(a)(3), the fee for this extension is \$445.00.

A check in the amount of \$600.00, comprising the fee for the Notice of Appeal, and the fee for the extension of time, accompanies this Notice of Appeal And Request for Extension of Time.

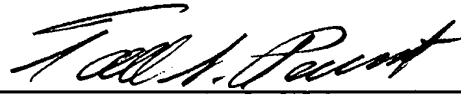
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(3) *[Signature]*  
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Respectfully submitted,



(Reg. #26,494)

Todd S. Parkhurst

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**Attorney for Applicants**

**CERTIFICATE OF MAILING**

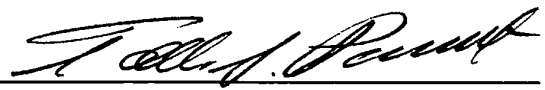
I hereby certify that this correspondence is being deposited with the  
United States Postal Service as First Class Mail in an envelope addressed to:

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**Commissioner For Patents**

**Washington, D.C. 20231**

DATE: December 18, 2000



**Attorney for Applicants**

CHI1 #92058 v1